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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/744,035 | 04/20/2001 | Gyozo Baki | 01-117 | 3031 |

7590 04/29/2008
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| EXAMINER |
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FOX, JOHN C

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| ART UNIT | PAPER NUMBER |
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3753

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| MAIL DATE | DELIVERY MODE |
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04/29/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

The appeal brief filed on November 12, 2007 is defective because it fails to "contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal", as required in the Notification of Non-Compliant Appeal Brief mailed October 10, 2007 (emphasis added). That is, the appeal brief fails to "identify and map all independent claims on appeal to specification", as required in the Notification of Non-Compliant Appeal Brief mailed October 10, 2007.

In particular, the appeal brief filed November 12, 2007 fails to list any of the independent claims but refers instead to one or another "aspect of the present disclosure".

Since the period for response to the Notice of Non-Compliant Appeal Brief mailed October 10, 2007 has expired and no petition has been filed to extend the period for response, the appeal is dismissed. See MPEP §1215.04.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Fox whose telephone number is 571-272-4912. The examiner can normally be reached on Monday-Saturday from 10am-6pm (Hoteling Program).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Huson can be reached on 571-272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3753

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John Fox/
Primary Examiner
Art Unit 3753